



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,088	07/05/2001	In-Sung Choi	P56321	3198

7590 05/13/2004
Robert E. Bushnell
Suite 300
1522 K Street, N.W.
Washington, DC 20005

EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT	PAPER NUMBER
----------	--------------

2154

DATE MAILED: 05/13/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

2

Office Action Summary

Application No.

09/898,088

Applicant(s)

CHOI, IN-SUNG

Examiner

Mohammad A Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jenkins et al. (6,002,868) (hereinafter Jenkins) in view of Philyaw et al. (6,704,864) (hereinafter Philyaw).

4. As per claims 1, 8 and 17, Jenkins discloses a system for real-time device driver error handling comprising:
a computer comprising a device driver (col 3, lines 24 and col 10, lines 26-28), a monitoring unit and a device driver information said monitoring unit monitoring an operating state and searching said device driver information (col 6, lines 23-28), and outputting a diagnosing message to said computer

when said device driver errors occur (col 6, lines 23-67 and col 7, lines 45-55);

comprising a driver error handling program (col 8, lines 26-33), said device driver error handling program storing a standard driver information (col 8, lines 26-33), performing a diagnosis of said device driver by comparing said standard driver information with said device driver information (col 8, lines 26-53), and displaying said diagnosing result on said computer (col 8, lines 26-52).

Jenkins fails to disclose that central monitoring station is a web server.

However, Philyaw discloses a web server (col 4, lines 43-48).

Therefore it would have been obvious to one of ordinary skill in the art at the time invention is made to combine Philyaw with Jenkins because it would provide an architecture for automatic configuring a software of a computer system which can be executed remotely on the client machine.

5. As per claims 2, 12, 18 and 19, Jenkins discloses a first portion storing said standard driver information (col 8, lines 26-53, col 4, lines 35-67);

a second portion interpreting said device driver information (col 10, searched by said monitoring unit (col 8, lines 26-53, and col 4, lines 35-67);

a third portion performing a diagnosis of said device driver by comparing said standard driver information from said first portion with said

Art Unit: 2154

device driver information from said second portion (col 8, lines 26-53, col 4, lines 35-67); and

a fourth portion displaying the diagnosing result from said third portion to said computer (col 8, lines 26-53, col 4, lines 35-67).

6. As per claims 3,9, 10, and 20, Jenkins discloses a displaying the error correction result to said computer after automatically correcting the error by said standard diagnosis information stored in said first portion in case of an automatically correctable error (recommended action module, col 8, lines 26-53), said fourth portion displaying how to correct the error to said computer in case of automatically uncorrectable error when the device driver error occurs (col 8, lines 26-53).

7. As per claims 4, 11, and 13, Jenkins discloses with said monitoring unit being a file of said computer (col 8, lines 26-67, col 4, lines 35-67), said file being a logical block of computer information as designated by a name and treated as a unit (col 8, lines 26-67, col 4, lines 35-67).

8. As per claims 5, and 14, Jenkins discloses, with said file not being able to be manipulated by a user of said computer (col 8, lines 26-53, col 4, lines 35-67).

9. As per claims 6, and 15, and 21, Jenkins does not specifically teaches standard driver information being changeable by an operator of said web server.

However, Philyaw discloses standard driver information being changeable by an operator of said web server (col 4, lines 43-48 and col 26, lines 10-14).

Therefore it would have been obvious to one of ordinary skill in the art at the time invention is made to combine Philyaw with Jenkins because it would provide an architecture for automatic configuring a software of a computer system which can be executed remotely on the client machine.

10. As per claims 7, 16, and 22, Jenkins discloses with the automatically uncorrectable error being a hardware error of said computer or a device corresponding to said device driver (col 7, lines 45-55).

11. As per claim 23, Jenkins discloses a correction of the error when the error is automatically correctable and when said first computer opted no correction in said step of prompting a response from said first computer (col 8, lines 26-54); executing no correction of the error when the recommendation is not accepted computer (col 8, lines 26-54); and

correcting the error when the recommendation is accepted computer (col 8, lines 26-54).

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent 5,881,221 to Hoang et al.

U.S. Patent 6,714,971 to Motoyamma et al.

U.S. Patent 6,324,644 to Rakavy et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose telephone number is (703) 305-0353. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS



**JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**